

REMARKS

Claims 11 – 14, 19 – 23, 27 – 29, and 55 – 63 remain in the present application. Claims 11, 19, and 23 have been currently amended. Claims 1 – 10, 15 – 18, 21, 22, 30 – 54, and 64 are cancelled.

The Examiner states that the interference of claims 55 – 63 has not been initiated as claims 55 – 63 are not patentable. It is respectfully submitted that these claims are patentable for at least the reasons set forth below, whereby an interference should now be initiated.

Claims 21 and 26 have been indicated to contain allowable subject matter. This is acknowledged and appreciated by the applicants, whereby the respective base claims have been amended to incorporate the allowable subject matter.

Claims 16 – 19 and 21 stand objected to as depending from a rejected claim. Claims 16 – 18 and 21 have been cancelled. Claim 19 has been amended to depend from a pending claim. Reconsideration and withdrawal of this objection is respectfully requested.

Claims 11 – 13, 16 – 18, 23, 25, 27, 55 – 57, 60, and 63 stand rejected as being allegedly anticipated by Yamamoto et al.. Claim 11 has been amended to incorporate the limitations of now cancelled claim 21, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, independent claim 11 should now be in condition for allowance. Claims 12 and 13 should also now be in condition for allowance as depending from an allowable independent claim 11. Claims 16 – 18 have been cancelled. Claim 23 has been amended to incorporate the limitations of now cancelled claim 26, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, independent claim 23 should now be in condition for allowance. Claim 27 should also now be in condition for allowance as depending from an allowable independent claim 23. Claim 25 has been cancelled.

Claim 55 recites "elastomeric material mounted within said channels, said elastomeric material being dimensioned so that, when said elastomeric material is compressed, said elastomeric material lies flush with said ribs and exerts substantially uniform pressure across each of said top surface and said bottom surface of said single sheet". The Examiner states that "the elastomeric material being compressed to lie flush with the ribs and exert substantially uniform pressure across each of the top and bottom surfaces, is considered an inherent property of the gasket taught by Yamamoto", with reference to figure 2 of Yamamoto et al.. Applicants fail to appreciate how "the elastomeric material being compressed to lie flush with the ribs" is possible in the gasket taught by Yamamoto et al.. When the gasket of figure 2 of Yamamoto et al. is compressed, the material designated 2 will always lie above every surface of the material designated 1. Claim 55 requires that "when said elastomeric material is compressed, said elastomeric material lies flush with said ribs". In order for the elastomeric material to lie flush with the ribs it cannot extend above the ribs (when compressed), and most certainly cannot lie over or on top of the ribs. For at least these reasons, applicants respectfully submit that claim 55 is not anticipated by Yamamoto et al.. Further, claims 56, 57, 60, and 63 are also not anticipated by Yamamoto et al., as depending from claim 55.

Therefore, reconsideration and allowance of claims 11 – 13, 23, 27, 55 – 57, 60, and 63 are respectfully requested.

Claims 11 – 13, 16, 20, and 22 stand rejected as being allegedly unpatentable over Wakamatsu. Claim 11 has been amended to incorporate the limitations of now cancelled claim 21, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, independent claim 11 should now be in condition for allowance. Claims 12, 13, and 20 should also now be in condition for allowance as depending from an allowable independent claim 11. Claims 16 and 22 have been cancelled. Therefore, reconsideration and allowance of claims 11 – 13, and 20 are respectfully requested.

Claims 19, 29, and 61 stand rejected as being allegedly anticipated over Yamamoto et al. in view of Leonida et al.. Claim 19 depends from claim 11, which has been amended to incorporate the limitations of now cancelled claim 21, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, claim 19 should now be in condition for allowance. Claim 29 depends from claim 23, which has been amended to incorporate the limitations of now cancelled claim 26, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, claim 29 should now be in condition for allowance. Claim 61 depends from claim 55, which should now be allowable for at least the reasons discussed above with regards to the alleged anticipated of claim 55 by Yamamoto et al.. Accordingly, claim 61 should now be in condition for allowance. Therefore, reconsideration and allowance of claims 19, 29, and 61 are respectfully requested.

Claims 20, 28, 58, and 59 stand rejected as being allegedly anticipated over Yamamoto et al. in view of Furuse et al.. Claim 20 depends from claim 11, which has been amended to incorporate the limitations of now cancelled claim 21, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, claim 20 should now be in condition for allowance. Claim 28 depends from claim 23, which has been amended to incorporate the limitations of now cancelled claim 26, which has been indicated by the Examiner to contain allowable subject matter. Accordingly, claim 28 should now be in condition for allowance. Claims 58 and 59 depend from claim 55, which should now be allowable for at least the reasons discussed above with regards to the alleged anticipated of claim 55 by Yamamoto et al.. Accordingly, claims 58 and 59 should now be in condition for allowance. Therefore, reconsideration and allowance of claims 20, 28, 58, and 59 are respectfully requested.

Claim 14 stands rejected as being allegedly anticipated over Yamamoto et al. in view of Kuriyama et al.. Claim 14 depends from claim 11, which has been amended to incorporate the limitations of now cancelled claim 21, which has been indicated by the

Examiner to contain allowable subject matter. Accordingly, claim 14 should now be in condition for allowance. Therefore, reconsideration and allowance of claim 14 are respectfully requested.

Claim 62 stands rejected as being allegedly anticipated over Yamamoto et al.. Claim 62 depends from claim 55, which should now be allowable for at least the reasons discussed above with regards to the alleged anticipated of claim 55 by Yamamoto et al.. Accordingly, claim 62 should now be in condition for allowance. Therefore, reconsideration and allowance of claim 62 are respectfully requested.

Accordingly, as the cited references in the Office Action neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 11 – 14, 19 – 23, 27 – 29, and 55 – 63 be passed to issue.

It is believed that the foregoing remarks fully comply with the Office Action.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorney.

Respectfully submitted,

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